

REMARKS

In response to the above identified Final Office Action, Applicants have amended their application and respectfully request reconsideration thereof.

Amendment of Claims

Claim 1 has been amended, as suggested by the Examiner¹, for purposes of clarification, through the incorporation of information contained in the description. In particular, it is specified on page 2, lines 23-24 that the system for controlling a tuning means comprises means for connecting the system to a broadcast signal source, for example through a satellite, cable or terrestrial transmission. This passage contains the subject-matter of the amendment, so that the amendment does not extend the subject-matter of the application.

Response to Claim Rejections - 35 USC § 102

Claims 1-3 and 5-9 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,351,467 to Dillon.

To anticipate a claim, the reference must teach every element of the claim.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Applicants respectfully submit the rejection of claims 1-3 and 5-9 under 35 U.S.C. § 102(e) has been overcome and is addressed for the reason that Dillon does not disclose each and every limitation of the claim 1, as amended, of the present application.

¹ Final Office Action, mailed September 10, 2003, page 4.

US 6 351 467 discloses (column 35, claim 50) a receiver for receiving from a multicast network content organized into channels. A channel's content includes a plurality of URL data items, and each URL data item is addressed by a URL. The receiver has means for determining a multicast address used to carry a channel's packets, means for enabling reception of packets containing a channel's multicast address, means for assembling the received packets into a channel's content and for storing the channel's content as one file or a number of files less than the total number of URL data items in the channel, and means for allowing a user to access the stored channel's content.

The means for determining a multicast address used to carry a channel's packets comprise, in one embodiment, a content viewer in a receiver, which makes an Electronic Program Guide available (column 20, lines 28-30, 46-49). Alternatively, a subscribe or unsubscribe transaction is performed against the multicast network column 20, lines 61-63). If the transaction is accepted, the content viewer informs a package receiver which, in turn, starts receiving or ceases reception of the channel's packages as appropriate (column 21, lines 1-5). Thus, the disclosed receiver is not adapted to retrieve tuning information from a memory by means of a selected URL, and to use the retrieved tuning information for controlling tuning means to receive broadcast services from the corresponding broadcast service, by tuning to a specific transport stream being transmitted from the broadcast signal source. Instead, information for tuning to a particular channel is retrieved using the EPG.

The means in the known receiver for allowing a user to access the stored channel's content comprise a content viewer that receives requests for URLs from a browser and attempts to find them from its "cache" of URLs. The cache consists of the URL data items contained within the received packages from subscribed channels. The content viewer retrieves the URL data item from the package from memory (i.e., a receiving computer's hard disk (column 16, lines 44-45) (column 23, lines 1-2). Thus, the selected URL is not used to retrieve tuning information for controlling the tuning means to receive broadcast services by tuning to a specific transport stream being transmitted from a broadcast signal source to which the system is connected.

For the above reasons, the subject-matter of amended claim 1 is novel.

In the known system, when a browser in the receiver requests not within any of the packages that have been stored in memory 28, a "cache miss" occurs (column 23, lines 26-28). In that case the user is allowed to connect to the Internet via a switched connection (column 23, lines 45-46). No mechanism is available for immediately accessing information being provided at a certain point in time by means of a broadcast from an external source. Instead, in the known system, only information in a web site can be obtained on-line, or information previously retrieved by a web crawler can be obtained off-line.

The invention as defined in claim 1 confers the advantage of providing an improved means for tuning to information currently being broadcast through a satellite, cable or terrestrial transmission, which is thus up-to-date and immediately available. The use of URLs to select tuning information allows easy access from different

locations. Thus, the invention provides a new and useful effect by means of features not disclosed or implied by US 6 351 467. For this reason, it is submitted that claim 1 is allowable.

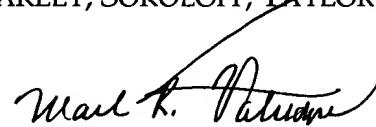
Claims 2-3 and 5-7 relate to systems comprising all the features of the system defined in claim 1. As the subject-matter of claim 1 is novel and non-obvious, it is submitted that these dependent claims are likewise allowable.

In summary, Applicants believe that all rejections presented in the Final Office Action have been fully addressed and withdrawal of these rejections is respectfully requested. Applicants furthermore believe that all claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Mark R. Vatuone at (408) 947-8200.

Respectfully submitted,
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